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## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet 1 of 1

**Complete if Known**

Application Number	10/787,469
Filing Date	February 26, 2004
First Named Inventor	Ferree
Art Unit	3733
Examiner Name	Comstock
Attorney Docket Number	026.314-005

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)				

Examiner Signature	/David Comstock/	Date Considered	09/16/2007
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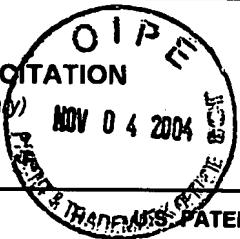
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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)



ATTY DOCKET NO.

BAF-10404/29

APPLICATION NO.

10/787,469

APPLICANT(S)

Ferree

FILING DATE

Feb. 26, 2004

GROUP ART UNIT

3732

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		2,677,369	5/4/1954	Knowles	128	92	
		3,366,975	2/6/1968	Pangman	3	36	
		3,426,364	2/11/1969	Lumb	3	1	
		3,551,560	12/29/1970	Thiele	424	95	
↓		3,593,342	7/20/1971	Niebauer	3	1	

## U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		3,648,294	3/14/1972	Shahrestani	3	1	
		3,855,638	12/24/1974	Pilliar	3	1	
		3,867,728	2/25/1975	Stubstad et al	3	1	
↓		3,878,595	4/8/1975	Froning	3	1	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

/DC/		Steven Frick MD, SPINE, Vol. 19, No. 16, pp. 1826-1835, 1994
/DC/		Orthopedics Today, July 2000

EXAMINER	/David Comstock/	DATE CONSIDERED	09/16/2007
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/DC/		3,883,902	5/20/1975	Lynch	3	36	
		4,229,839	10/28/1980	Schwemmer	3	1.91	
		4,309,777	1/12/1982	Patil	3	1.91	
		4,439,921	9/21/1982	Kuntz	3	1	
↓		4,707,872	11/24/1987	Hessel	5	451	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		4,714,469	12/22/1987	Kenna	623	17.11	
		4,759,766	7/26/1988	Buettner-Janz et al	623	17.11	
		4,801,299	1/31/1989	Brendel et al	623	17.11	
↓		4,863,477	9/5/1989	Monson	623	17.11	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

/DC/		"Proceedings 14th Annual Meeting," North American Spine Society, October 1999
/DC/		"Proceedings 13th Annual Meeting," North American Spine Society, October 1998

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/DC/	4,874,389	10/17/1989	Downey	623	17	
	4,904,261	2/27/1990	Dove et al	623	17	
	4,911,718	3/27/1990	Lee et al	623	17	
	4,917,704	4/17/1990	Frey et al	623	17	
↓	4,946,378	8/7/1990	Hirayama et al	623	17	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/	5,002,576	3/26/1991	Furhmann et al	623	17	
	5,035,716	7/30/1991	Downey	623	17	
	5,071,437	12/10/1991	Steffee	623	17	
↓	5,108,438	4/28/1992	Stone	623	17	

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/DC/		5,171,280	12/15/1992	Baumgartner	623	17	
		5,171,281	12/15/1992	Parsons et al	623	17	
		5,246,458	9/21/1993	Graham	623	17	
		5,258,031	11/2/1993	Salib et al	623	17	
↓		5,263,953	11/23/1993	Bagby	606	61	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,314,477	5/24/1994	Marnay	623	17	
		5,320,644	6/14/1994	Baumgartner	623	17	
		5,370,697	12/6/1994	Baumgartner	623	17	
↓		5,375,823	12/27/1994	Navas	267	195	

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/DC/	5,401,269	3/28/1995	Buettner-Janz et al	623	17	
	5,425,773	6/20/1995	Boyd et al	623	17	
	5,458,642	10/17/1995	Beer et al	623	17	
	5,464,439	11/7/1995	Gendler	623	16.11	
↓	5,514,180	5/7/1996	Heggeness et al	623	17.11	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/	5,534,028	7/9/1996	Bao et al	623	17	
	5,534,030	7/9/1996	Navarro et al	623	17	
	5,554,191	9/10/1996	Lahille et al	623	17	
↓	5,556,431	9/17/1996	Buettner-Janz et al	623	17	

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/DC/		5,609,635	3/11/1997	Michelson	623	17	
		5,643,329	7/1/1997	Solomonow et al	607	43	
		5,645,596	7/8/1997	Kim et al	623	17	
		5,653,763	8/5/1997	Ericco et al	623	17	
↓		5,674,294	10/7/1997	Bainville et al	623	17	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,674,296	10/7/1997	Bryan et al	623	17	
		5,683,465	11/4/1997	Shinn et al	623	17	
		5,702,450	12/30/1997	Bisserie	623	17	
↓		5,711,960	1/27/1998	Shikinami	424	426	

**FOREIGN PATENT DOCUMENTS**

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/DC/	5,776,196	7/7/1998	Matsuzaki et al	623	17	
	5,782,919	7/21/1998	Zdeblick et al	623	17	
	5,824,094	10/20/1998	Serhan et al	623	17	
	5,865,845	2/2/1999	Thalgott	623	17	
↓	5,865,846	2/2/1999	Bryan et al	623	17	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/	5,865,847	2/2/1999	Kohrs et al	623	17	
↓	5,865,848	2/2/1999	Baker	623	17	
	5,885,287	3/23/1999	Bagby	606	17	
↓	5,888,226	3/30/1999	Rogozinski	623	17	

**FOREIGN PATENT DOCUMENTS**

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/DC/		5,888,227	3/30/1999	Cottle	623	17	
		5,893,390	4/13/1999	Pisharodi	623	17.11	
		5,893,889	4/13/1999	Harrington	623	17	
		5,895,427	4/20/1999	Kuslich et al	623	17	
↓		5,897,593	4/27/1999	Kohrs et al	623	17	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,899,941	5/4/1999	Nishijima et al	623	17	
		5,906,616	5/25/1999	Pavlov	606	61	
		5,928,284	7/27/1999	Mehdizadeh	623	17	
↓		5,964,807	10/12/1999	Gan et al	623	17.11	

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		6,102,950	8/15/2000	Vaccaro	623	17.11	
		6,022,376	2/8/2000	Assell et al	623	17.16	
		6,060,053	5/9/0000	Atala	424	93.7	
		6,077,987	6/20/0000	Breitbart et al	623	11.11	
↓		6,090,112	7/18/2000	Zucherman et al	606	61	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,989,291	11/23/1999	Ralph et al	623	17.13	
		6,019,793	2/1/2000	Perren et al	623	17.11	
		6,066,325	5/23/2000	Wallace et al	424	400	
↓		6,110,210	8/29/2000	Norton et al	623	17.16	

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/DC/		6,113,639	9/5/2000	Ray et al	623	17.16	
		6,117,174	9/12/2000	Nolan	623	17.11	
		6,143,032	11/7/2000	Schafer et al	623	17.11	
		6,146,420	11/14/2000	McKay	623	17.11	
↓		6,183,518	2/6/2001	Ross et al	623	17.16	

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/DC/		6,187,048	2/13/2001	Milner et al	623	17.12	
		6,190,414	2/20/2001	Young et al	623	17.15	
		6,193,757	2/27/2001	Foley et al	623	17.16	
↓		6,197,586	3/6/2001	Bhatnagar et al	435	395	

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/DC/	6,206,922	3/27/2001	Zdeblick et al	623	17.11	
	6,221,109	4/24/2001	Geistlich et al	623	17.11	
	6,231,615	5/15/2001	Preissman	623	23.73	
	6,245,107	6/12/2001	Ferree	623	17	
↓	6,245,108	6/12/2001	Biscup	623	17.11	

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/DC/	6,340,369	1/22/2002	Ferree	623	17.11	
	6,352,557	3/5/2002	Ferree	623	17.11	
	6,371,990	4/16/2002	Ferree	623	17.16	
↓	6,419,702	7/16/2002	Ferree	623	17.11	

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	4,413,359	11/8/1983	Akiyama et al	3	1	
	4,512,338	4/23/1985	Balko et al	128	1R	
	4,663,358	5/5/1987	Hyon et al	521	64	
↓	4,772,287	9/20/1988	Ray et al	623	17	

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	4,904,260	2/27/1990	Ray et al	623	17	
	4,932,969	6/12/1990	Frey et al	623	17	
↓	5,015,255	5/14/1991	Kuslich	623	17	

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FILING DATE  
**Feb.26, 2004**

GROUP ART UNIT  
**3732**

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/	5,047,055	9/10/1991	Bao et al	623	17	
	5,100,422	3/31/1992	Berguer et al	606	151	
	5,147,374	9/15/1992	Fernandez	606	151	
	5,171,278	12/15/1992	Pishrodil	623	17	
↓	5,192,326	3/9/1993	Bao et al	623	17	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/	5,258,043	11/2/1993	Stone	623	66	
	5,304,194	4/19/1994	Chee et al	606	191	
	5,342,394	8/30/1994	Matsuno et al	606	213	
↓	5,370,660	12/6/1994	Weinstein et al	606	215	

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	/David Comstock/	DATE CONSIDERED	09/16/2007
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ATTY DOCKET NO.  
**BAF-10404/29**

APPLICATION NO.  
**10/787,469**

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**Ferree**

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,390,683	2/21/1995	Pisharodi	128	898	
		5,425,772	6/20/1995	Brantigan	623	17	
		5,540,715	7/30/1996	Katsaros et al	606	213	
		5,545,229	8/13/1996	Parsons et al	623	17	
↓		5,562,736	10/8/1996	Ray et al	623	17	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,645,597	7/8/1997	Krapiva	623	17	
		5,681,310	10/28/1997	Yuan et al	606	61	
		5,716,416	2/10/1998	Lin	623	17	
↓		5,800,549	9/1/1998	Bao et al	623	17	

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/DC/		5,800,550	9/1/1998	Sertich	623	17	
		5,824,093	10/20/1998	Frey et al	623	17	
		5,827,328	10/27/1998	Butterman	623	17	
		5,879,366	3/9/1999	Shaw et al	606	213	
↓		5,916,225	6/29/1999	Kugel	606	151	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,976,174	11/2/1999	Ruiz	606	213	
		5,976,186	11/2/1999	Bao et al	623	17	
		6,024,754	2/15/2000	Engelson	606	213	
↓		5,123,926	6/23/1992	Pisharodi	623	17	

**FOREIGN PATENT DOCUMENTS**

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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		6,224,630	5/1/2001	Bao et al	623	17.16	
		6,491,724	12/10/2002	Ferree	623	17.11	
		6,425,919	7/30/2002	Lambrecht	623	17.16	
		4,743,256	5/10/1988	Brantigan	128	898	
↓		6,007,570	12/28/1999	Sharkey et al	606	15	

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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		5,496,318	3/5/1996	Howland et al	606	53	
		5,059,193	10/22/1991	Kuslich	606	60	
		5,571,189	11/5/1996	Kuslich	623	17.12	
↓		6,132,465	10/17/2000	Ray et al	623	17.16	

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
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## OTHER DOCUMENTS

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/DC/		6,264,695	7/2001	Stoy	623	17.16	
		6,488,710	12/2002	Besselink	623	17.15	
↓		5,549,679	8/1996	Kuslich	623	17.12	

**U.S. PATENT APPLICATION PUBLICATIONS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/DC/		2002/0147497	10/2002	Belef et al	623	17.12	
		2003/0074075	4/2003	Thomas et al	623	17.16	
↓		2002/0077701	6/2002	Kuslich	623	17.12	

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